

Jamie D. Hanawalt (SBN 309934)
jhanawalt@aldridgepite.com
Joseph C. Delmotte (SBN 259460)
jdelmotte@aldridgepite.com
ALDRIDGE PITE, LLP
4375 Jutland Drive, Suite 200
P.O. Box 17933
San Diego, CA 92177-0933
Telephone: (858) 750-7600
Facsimile: (619) 590-1385

Attorneys for Movant
U.S. Bank National Association, as Trustee LEHMAN
XS TRUST MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-7N

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

In re

DOMINADOR LANTIN ONA and MARITES
MOTAS ONA,

Debtors.

Case No. 17-40390-CDN

Chapter 13

R.S. No. JDH - 025

**DECLARATION OF DEFAULT UNDER
ORDER GRANTING ADEQUATE
PROTECTION**

Property Address:
16267 Ashland Ave. #5
San Lorenzo, California 94580

DATE:
TIME:
CTRM:

1300 Clay Street
Oakland, CA 94612

I, Mary Gracia, declare as follows:

1. I am over 18 years of age and am employed as a Assistant Secretary of Nationstar Mortgage LLC ("Nationstar"). In such capacity, I am authorized to make this declaration regarding the loan (the "Loan") that is the subject of U.S. Bank National Association, as Trustee LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-7N's Order Granting Adequate Protection (the "Order") entered in the instant case.

1 2. I have access to Nationstar's books and records regarding the Loan, including
2 Nationstar's servicing records and copies of the applicable Loan documents. I am familiar with the
3 manner in which Nationstar maintains its books and records, including computer records relating to
4 the servicing of the Loan. Nationstar's records are made at or near the time of the occurrence of the
5 matters set forth in such records, by an employee or representative with knowledge of the acts or
6 events recorded. Such records are obtained, kept and maintained by Nationstar in the regular course
7 of Nationstar's business. Nationstar relies on such records in the ordinary course of its business.

8 3. The Order was entered in the instant case on November 3, 2017, which conditions the
9 continuation of the automatic stay in this case on the performance by Dominador Lantin Ona and
10 Marites Motas Ona, ("Debtors") of certain obligations for the benefit of U.S. Bank National
11 Association, as Trustee LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES,
12 SERIES 2005-7N. A true and correct copy of the Order is attached hereto as **Exhibit A** and
13 incorporated herein by reference.

14 4. The Debtors defaulted upon their obligations under the Order by failing to make the
15 March 1, 2018 through June 1, 2018 post-petition payments in the amount of \$2,296.85 each, the
16 March 15, 2018 through June 15, 2018, additional payments in the amount of \$201.74 each. The
17 total amount past due under the Order, as stated in the notice of default letter ("NOD") dated June
18 25, 2018, was \$8,478.32, which includes a credit of \$1,516.04 in debtor suspense.

19 5. U.S. Bank National Association, as Trustee LEHMAN XS TRUST MORTGAGE
20 PASS-THROUGH CERTIFICATES, SERIES 2005-7N caused the NOD identifying the default
21 referenced in paragraph 4 to be served on the Debtors on June 25, 2018. A true and correct copy of
22 the Notice is attached hereto as **Exhibit B**.

23 6. Funds in the amount of \$2,498.59 was received, but was not enough to cure the
24 noticed default. The July 1, 2018 through September 1, 2018 post-petition payment in the amount of
25 \$2,296.85 each, and the July 15, 2018 through September 15, 2018 additional payments in the
26 amount of \$201.74 each, are also now in default. Additionally, U.S. Bank National Association, as
27 Trustee LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-
28 7N has incurred attorneys' fees in the amount of \$200.00 incident to the preparation of this

